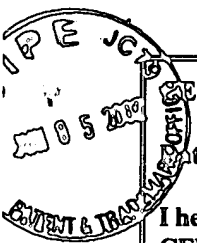


1626



CERTIFICATE OF MAILING (37 CFR 1.8)

Date of Deposit with U.S. Postal Service: May 17, 2002

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, DC 20231.

Julie K. Lyons, Legal Assistant
Name of Person Mailing Paper

Julie K Lyons
Signature

TECH CENTER 1600/2900

JUN 10 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1626
Examiner : Robert Gerstl
Applicant(s) : MF Gordeev, GW Luehr, DV Patel, Z-J Ni, and E Gordon
Serial Number : 09/641,396
Filed : 17 August 2000
For : Oxazolidinone Combinatorial Libraries, Compositions and Methods of Preparation

COPY OF PAPERS
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Commissioner of Patents and Trademarks
Washington, DC 20231

TRANSMITTAL OF A RESPONSE TO A NON-FINAL ACTION (37 CFR 1.111)

Sir:

Transmitted herewith is a reply and/or amendment in the above-captioned application in response to the Examiner's action dated April 17, 2002.

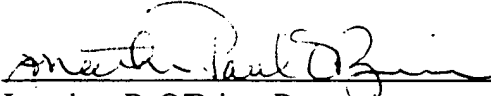
- ☒ [X] The reply and/or amendment is being filed under 37 CFR 1.8 and the required Certificate of Mailing appears above.
- ☐ [] An additional fee in the amount of \$ is required for the amended claims presented and has been calculated as shown in the attached sheet.

Please charge Deposit Account No. 21-0718 in the amount of the additional fee above, or such greater or lesser amount of excess fees for claims as the Commissioner determines is required by law. Triplicate copies of this sheet are enclosed.

EXTENSION OF TIME. In the event this paper is not filed prior to the time set for response, applicant(s) hereby petition for an extension of the period for filing the attached reply and/or amendment to the date of filing this paper, and hereby authorize the Commissioner to charge the extension fee as may be required by 37 CFR 1.17, to Deposit Account No. 21-0718. If for any

reason the extension requested above is insufficient to extend this period to the date of this paper, applicant(s) hereby petition for the revival of the above-captioned application as having been unintentionally abandoned and authorize the Commissioner to charge the required fees under 37 CFR 1.17 to Deposit Account No. 21-0718.

Respectfully submitted,


Jonathan P. O'Brien, Patent Agent
Registration No. 50,852

Date: 5/14/02

Pharmacia & Upjohn Company
Global Intellectual Property
301 Henrietta Street
Kalamazoo, Michigan 49001

Telephone No. (616) 833-2102 or (616) 833-9500
Telefax No. (616) 833-8897 or (616) 833-2316

Enclosures:

Reply/Amendment

☐ Calculation of Additional Fees for Amended Claims



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PATENT/Docket No. 6270.N DV1
Serial No. 09/641,396
Page 1

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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

The following remarks are responsive to the Office Action Dated April 17, 2002.

Claims 1-6 and 44-54 are pending in the application.

The Examiner requires restriction under 35 U.S.C. § 121 to one of the following inventions:

- I. Claims 1-6, drawn to a method, classified in class 548, subclass 139.
- II. Claims 44-48, drawn to a method, classified in class 548, subclass 141.
- III. Claim 49-53, drawn to a method, classified in class 548, subclass 163.
- IV. Claim 54, drawn to a method, classified in class 548, subclass 192.

Applicants provisionally elect Group II, e.g., claims 44-48, with traverse. In traversing the restriction requirement, Applicants note that Groups II, III, and IV are related. Indeed, each group is directed to methods of producing oxazolidinone compounds described in claim 16. The methods include coupling a compound to a resin by reacting the compound with carbonyl groups on the resin to form an imine. See claims 45, 46, 49, and 54. In Group IV and claim 46, an amine is reacted with the carbonyl substituents of the resin to form the imine. On the other hand, claim 45 of Group II and Group III recite that the imine is formed by reacting an iminophosphorane with the carbonyl substituents of the resin. Accordingly, Applicants respectfully request that the Examiner reconsider the restriction requirement between Groups II, III, and IV.